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3-6-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
GROUP ART UNIT 2185

In re Patent Application of:
Kathy Ann Herziger

Serial No.: 09/970,149

Filed: October 2, 2001

Examiner: Not Yet Known

Title: "METHOD AND APPARATUS
FOR MANAGING AUTOMATED
BANKING MACHINES"

I, Lesley A. Miokovich, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Lesley A. Miokovich
Signature
2/4/03
Date of Signature

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INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner's attention is directed to the references which are listed on the attached Forms PTO-1449, some of which may be deemed relevant to the present application. No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate. Applicant requests that each of these documents be made of record in the above-referenced application. A copy of each reference listed is attached.

Applicant brings to the attention of the Examiner a number of the larger automated teller machine (ATM) processing businesses that provide processing services and products for utilization with ATMs.

- Midwest Payment Systems, Inc. of Fifth Third Bank Corporation (www.53.com)
- Electronic Data Systems (www.eds.com)
- Mellon Financial Corporation (www.mellon.com)

- First Data Corp (www.firstdata.com)
- Electronic Payment Services, Inc.
- eFunds Corporation (www.efunds.com)

Applicant is not aware of any services and/or products provided by these businesses which are material to the patentability of the claimed invention, as demonstrated by the following statements obtained from U.S. Provisional Patent Application No. 60/237,907 (“the ‘907 Application”) from which this Application claims priority:

- “We do not believe that any other processor has created the depth of services we will market under the ATM management product line.” See page 6 of the Invention Disclosure portion of the ‘907 Application.
- “None of the dominant players market and sell Device Deployment Management Service which completely addresses the business problems related to ATM deployment.” See page 9 of the Invention Disclosure portion of the ‘907 Application.

Applicant brings to the attention of the Examiner other statements obtained from the ‘907 Application:

- “NOTE – EDS has sold the last of their owned ATMs and will soon be announcing support for back-room services that include the services referenced in this document.” See page 8 of the ATM Management Services portion of the ‘907 Application. The “services referenced in this document” refers to the industry standard ATM driving services listed in the table on page 9 of the ATM Management Services portion of the ‘907 Application. The services listed for EDS include: open account relationship, color graphics and animation, customized screens & receipts, multi-lingual screens, optional receipts, PAN & account number truncation, check image display, check cashing, statement print, non cash media, fast cash, change PIN at ATM, cash management, and CDPD support.

- “5/11/00 Update – MPS has announced ATM Menu - services include Customize ATM Screens, Personalize ATM receipts, remotely settle ATMs, and online display information – all through a PC based application. Online display includes current ATM status along with detailed cash and deposit figures. Remote totals are also available.”
See page 8 of the ATM Management Services portion of the ‘907 Application.

Applicant has also attached a portion of the ‘907 Application extending from page 7 to page 14 of the ‘907 Application. Included in pages 9-14 are articles including a discussion of a status monitoring software provided by Gasper Corporation (www.gasper.com). The status monitoring software is believed to be much less robust than the subject matter covered by the claimed invention.

Respectfully submitted,



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Form PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.: 25213-9070-02

Serial No. : 09/970,149

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

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Applicant: Kathy Ann Herziger

Filing Date: 10-02-01

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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,983,197	11-09-99	Enta			
	6,014,649	01-11-00	Kobayashi et al.			
	5,984,178	11-16-99	Gill et al.			
	5,784,439	07-21-98	Nagelmann et al.			
	5,694,323	12-02-97	Koropitzer et al.			
	5,563,393	10-08-96	Coutts			
	4,114,027	09-12-78	Slater et al.			
	6,181,981	01-30-01	Varga et al.			
	6,152,591	11-28-00	McCall et al.			
	6,115,649	09-05-00	Sakata			
	6,052,629	04-18-00	Leatherman et al.			
	5,997,170	12-07-99	Brodbeck			
	5,980,090	11-09-99	Royal, Jr. et al.			
	5,844,808	12-01-98	Konsmo et al.			
	5,091,713	02-25-92	Horne et al.			
	5,010,238	04-23-91	Kadono et al.			
	4,931,963	06-05-90	Kimura et al.			
	5,920,848	07-06-99	Schutzer et al.			
	6,279,826	08-28-01	Gill et al.			
	6,109,522	08-29-00	Force			
	5,982,918	11-09-99	Mennie et al.			
	5,799,288	08-25-98	Tanaka et al.			

Examiner

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449

(Rev. 2-32)

**U.S. Department of Commerce
Patent and Trademark Office**

Atty. Docket No.: 25213-907

Serial No. : 09/970,149

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant: Kathy Ann Herberger

Filing Date: 10-02-01

Group: 2185

U.S. PATENT DOCUMENTS

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Applicant: Kaito Herziger

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Filing Date: 10-02-01

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FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
		0 644 511 A2	08-26-94	European				
		2 269 256 A	02-02-94	United Kingdom				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Pages Dated	Matter Described In Pages 7-14 of U.S. Provisional Patent App. No. 60/237,907

Examiner

Date Considered

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